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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,165	12/18/2001	Franciscus Petrus Widdershoven	NL000722	5094
24737	7590	04/14/2005	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			ROSS, JOHN M	
			ART UNIT	PAPER NUMBER
			2188	

DATE MAILED: 04/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/023,165	<b>Applicant(s)</b> WIDDERSHOVEN, FRANCISCUS PETRUS	
	<b>Examiner</b> John M Ross	<b>Art Unit</b> 2188	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Status of Claims***

1. Claims 1-4 are pending in the application.

Claims 1-4 are rejected.

### ***Response to Amendment***

2. Applicant's amendments and arguments filed on 9 February 2005 in response to the office action mailed on 17 November 2004 have been fully considered, but they are not persuasive. Therefore, the rejections made in the previous office action are maintained, and restated below.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rivest (US 4,691,299) in view of Sinclair (US 6,069,827).

As in claim 1, Rivest teaches a system comprising:

a memory having locations, each capable of storing a WOM codeword from a WOM code (Fig. 3, element 28; column 3, lines 31-68; column 5, lines 25-28);

a memory selector for selecting a currently selected location of a logical series of the locations (Fig. 3, elements 22 and 26; column 3, lines 51-58; column 5, lines 23-35); and

a data encoder that encodes a received data value in a new codeword from the WOM code, as a function of the received data value and a previous codeword stored in the currently selected location, the data encoder causing the currently selected location to be changed to a next one in the logical series when the WOM code is exhausted, the data encoder storing the new codeword in the currently selected location (Fig. 3, element 16; column 3, lines 51-58; column 5, lines 23-35).

Rivest does not teach a reset circuit that resets the contents of the logical series when the WOM code is exhausted for all locations in the series as required by claim 1.

Sinclair teaches an erasable write-once type memory where the storage locations are arranged as blocks (i.e. logical series of memory locations), and a storage location once written may not be written again before it is erased (i.e. it is exhausted) (Fig. 2; column 5, lines 8-17). Sinclair further teaches a wear-leveling technique in which a previously exhausted storage location is not reused until all other storage locations are subsequently used, whereupon when all locations in a block are exhausted, the block is erased (Fig. 3; column 6, lines 7-61).

Regarding claim 1, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to reset the contents of a logical series of locations when writing to the locations is exhausted as taught by Sinclair, in the system of Rivest, in accordance with providing wear-leveling as taught by Sinclair, where utilizing an erasable write-once type memory as taught by Sinclair in the system of Rivest would have been obvious due to the similar nature of the problems to be solved, namely to provide write-once non-volatile storage, and also in view of the advantages provided by reusability.

Claim 2 is rejected using the same rationale as for the rejection of claim 2, where it is readily apparent in Rivest that a memory location is exhausted when it contains a second-generation code (Figs. 1 and 2; column 4, lines 16-32), and that unused locations contain an initial codeword (Rivest, column 3, lines 47-51), where it is further apparent that the erasing operation of Sinclair would produce the same initial codeword as in Rivest.

As to claim 3, it is noted that except for the addition of error correction coding (ECC) of the input data word, claim 3 is equivalent to claim 1 for the trivial case of  $N=1$ . Furthermore, although the combination of Rivest and Sinclair does not teach applying ECC to the input data word, Examiner takes Official Notice that utilizing ECC in non-volatile storage devices is well known in the art as a means to detect and/or correct errors caused by bit failures. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to encode the data word of Rivest and Sinclair using ECC.

Claim 4 is rejected using the same rationale as for the rejection of claim 1, further noting that Sinclair teaches a plurality of blocks (i.e. a series of logical series) (Fig. 3), both Rivest and Sinclair teach addressable memories (Rivest, column 1, lines 15-32; Sinclair, column 4, lines 45-61), where it is apparent that the series selected for an operation is determined under control of the address.

### ***Response to Arguments***

5. Applicant's arguments filed 9 February 2005 with respect to the rejection of claim 1 under 35 USC § 103(a) have been fully considered but they are not persuasive.

Applicant asserts "there is no identification of a logical series of multiple memory locations" in Rivest (Page 2, paragraph 4).

Examiner disagrees. As noted in the prior office action and restated above, Rivest indeed teaches a logical series of memory locations as recited by the claim (Column 3, lines 51-58): ***"The magnetic disk can be eliminated by using a linked-list or tree-like data structure on the WOM itself to link obsolete blocks to their replacements."*** The linked list or tree-like data structure constitutes a logical series of memory locations that are extended for writing a new codeword when the WOM code for a particular location is exhausted (i.e. a replacement block is added to the list).

Applicant further asserts that Rivest teaches that “a particular location may be rewritten only once”, and “no provision is made for subsequent modification” (Page 2, paragraph 4).

In response, it is unclear which portion of the claim applicant is referring to in this argument. If applicant intends to refer to lines 10-12 of claim 1, then it must be noted that in the rejection Sinclair is relied upon to teach these limitations rather than Rivest (see rejection above).

Finally, applicant asserts that Sinclair does not teach a logical series of multiple locations. Applicant is reminded that in the rejection Rivest is relied upon for teaching these limitations rather than Sinclair (see rejection above).

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

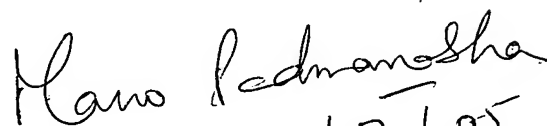
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Ross whose telephone number is (571) 272-4212. The examiner can normally be reached on M-F 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on (571) 272-4210. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
JMR

  
4/7/05

**MANO PADMANABHAN  
SUPERVISORY PATENT EXAMINER**